



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2003 Senate Bill 203	Senate Substitute Amendment 2 and Senate Amendment 1 to the Substitute Amendment
<i>Memo published:</i> March 15, 2004 <i>Contact:</i> Richard Sweet, Senior Staff Attorney (266-2982)	

Current law provides that a local professional baseball park district may impose a sales and use tax at a rate of no more than .1% of the gross receipts or sales price. Current law also provides that this tax sunsets after the local professional baseball park district makes a certification to the Department of Revenue. The certification must occur as soon as practicable after the retirement of all bonds issued for the initial construction of baseball park facilities and bonds issued to fund or refund those bonds, and after funding a fund sufficiently to meet any maintenance or capital improvement obligations between the district and any professional baseball team using the park as a home stadium.

Senate Bill 203 sunsets the sales and use tax for local professional baseball park districts as of December 31, 2014.

Senate Substitute Amendment 2 imposes a fee on the seller of a professional baseball franchise at the rate of 5% of the sales price of the franchise if, prior to the sale, the franchise uses the baseball park facilities of the district as its home park. The fee imposed is paid to the local professional baseball park district and the district may use the fee only to retire bonds issued for the initial construction of baseball park facilities or bonds issued to fund or refund those bonds prior to their maturity. However, if all such bonds have been retired or have matured, the district may use the fee for the operation and maintenance of the baseball park facilities.

Senate Amendment 1 to Senate Substitute Amendment 1 includes the provision from the original Senate Bill 203 that sunsets the sales and use tax for local professional baseball park districts as of December 31, 2014. In addition, the amendment requires the Legislative Audit Bureau to conduct a biennial financial audit of a local professional baseball park district to determine whether the revenue from the sales and use tax is being used for the purposes specified in the statutes.

Legislative History

On February 20, 2004, the Senate Committee on Homeland Security, Veterans and Military Affairs and Government Reform recommended passage of the bill by a vote of Ayes 5, Noes 0.

Senate Substitute Amendment 2 was introduced by Senator Mary Lazich and others and Senate Amendment 1 to the substitute amendment was introduced by Senator Cathy Stepp and others. On March 11, 2004, the Senate adopted Senate Amendment 1 to Senate Substitute Amendment 2, and adopted Senate Substitute Amendment 2, both by voice votes; and passed the bill as amended by a vote of Ayes 32, Noes 0.

RNS:jal:ksm